IN THE DISTRICT COURT OF THE VIRGIN ISLANDS DIVISION OF ST. CROIX

HUBERT WARREN,) D.C. C	V. NO. 2011-032
	Plaintiff,)	
)	
	V.)	
)	
THE UNITED STA	TES,)	
	Defendant.)	
)	

ORDER

Plaintiff Hubert Warren ("Warren") was convicted of aggravated assault on a public servant and sentenced to 60 years confinement. Warren, an inmate of the Texas Department of Criminal Justice ("TDCJ"), is before this Court on a tort claim pursuant to 28 U.S.C. § 2671 alleging negligent acts committed against him by the Defendant. The substance of Warren's Complaint, however, focuses on the his allegedly defective indictment. Warren also avers that the Honorable Edward C. Prado of the Court of Appeals for the Fifth Circuit abused his discretion when he barred him from filing any civil action in any District Court within the Fifth Circuit.

This Court notes that in addition to being barred by the United States Court of Appeals for the Fifth Circuit from filing any civil action in any District Court within that jurisdiction, Warren has also been barred from such filings in the Supreme Court of the United States.

See In re Warren, --- U.S. ----, 131 S.Ct. 660 (2010) ("As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and petition submitted in compliance with Rule 33.1.")

Having duly considered this matter, it is hereby

Warren v. The United States D.C. CV. NO. 2011-32 Order Page 2

ORDERED that Warren's Complaint is DISMISSED for lack of jurisdiction; and further

ORDERED that Warren's permission for Leave to Request Permission to File Complaint is DENIED for failure to attach a current six (6) month history of his inmate trust account; and finally

ORDERED that Warren's Application to Proceed in Forma Pauperis is DENIED; and finally

ORDERS that the Clerk of the Court shall CLOSE this file.

DONE AND SO ORDERED this 5 day of April 2011.

ENTER:

/s/ Raymond L. Finch

RAYMOND L. FINCH SENIOR DISTRICT JUDGE

Copies to:

George W. Cannon, Jr., Magistrate Judge
Wilfredo F. Morales, Clerk of the Court
Hubert Warren, #1023303, John B. Connally, Jr. Unit, 899 FM 632,
Kennedy, TX 78119 (Please mark: "LEGAL MAIL")